

State Water Resources Control Board

October 29, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7018 0680 0000 1017 5840

Mr. Robert Tolbert, Supervisor
City of Bakersfield
4101 Truxtun Avenue
Bakersfield, California 93309
rtolbert@bakersfieldcity.us

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT BAKERSFIELD CORPORATION YARD, 4101 TRUXTUN
AVENUE, BAKERSFIELD**

Dear Mr. Tolbert:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on October 17, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Monitor Product Piping – The sensor in the under-dispenser containment #1/2 was incorrectly positioned at an angle. This violation was corrected at the time of inspection.	Unleaded	October 17, 2018	October 17, 2018	23 CCR 2630(d)
2	Failure to Maintain Financial Responsibility – The Certificate of Financial Responsibility indicates “State UST Fund” as the mechanism type; however, the letter from the Chief Financial Officer (CFO) states self-insurance. The CFO letter should reflect what mechanism is being used according to the Certificate of Financial Responsibility.	Both	October 17, 2018	Ongoing	23 CCR 2711(a)(11)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Bakersfield Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violation has been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Joseph Lovesee
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
joseph.lovesee@waterboards.ca.gov

Local CUPA

Mr. Kris Karns
Fire Prevention Officer
Bakersfield City Fire Department
2101 H Street, Floor 2
Bakersfield, California 93301
kkarns@bakersfieldfire.us

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at matthew.buffleben@waterboards.ca.gov.

Sincerely,



Matthew Buffleben
Supervising Water Resources Control Engineer
Acting Supervisor, UST Enforcement Unit
Office of Enforcement

cc: (via email only)

Mr. Howard Wines, Director
Bakersfield City Fire Department
hwines@bakersfieldfire.us

Mr. Kris Karns
Fire Prevention Officer
Bakersfield City Fire Department
kkarns@bakersfieldfire.us

Mr. Miguel Raya, Supervisor
City of Bakersfield
mraya@bakersfieldcity.us